IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

MARSHALL DIVISION

CATHY LAY §

VS.

§ CIVIL ACTION NO. 2:07cv433

COMMISSIONER, SOCIAL SECURITY ADMINISTRATION

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Charles Everingham. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct and adopts them as the Court's findings and conclusions. The Court therefore

ORDERS, ADJUDGES, and DECREES that this action is REVERSED and REMANDED.

SIGNED this 29th day of September, 2009.

T. John Ward

T. JOHN WARD

UNITED STATES DISTRICT JUDGE